



Board of Barber Examiners

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OFFICIAL BOARD MINUTES FOR SEPTEMBER 20, 2004

Members Present:	Marvin Haffner, President Royce R. Loesch, Secretary/Treasurer Gary Harrington, Lay Member Robert Johnson, Member
Others Present:	Carol Tellinghuisen, Executive Secretary Jill Lesselyoung, Executive Assistant John Strohman, Office of the Attorney General Jeannine Loesch Jeff Loesch Justin Loesch Savannah Loesch
Members Absent:	None

President Haffner called the meeting to order at 9:00 A.M., CST.

Approval of the Minutes: Johnson moved and Haffner seconded to approve the minutes of April 5, 2004. Motion carried by unanimous vote.

FY Financial Update: Lesselyoung reported as of 8/31/04, year to date figures of \$5,751.99 expenditures, \$7,083.44 revenue and \$28,782.86 cash on hand. Harrington moved and Haffner seconded to approve the financial report. Motion carried by unanimous vote. The Board discussed increasing fees to cover the cost of maintaining a professional regulatory Board that is in compliance with the newest standards. The Board discussed options and President Haffner advised the Board that increased fees are simply the cost of doing business.

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Complaints/Investigations: There are no complaints pending. Board member Robert Johnson addressed the Board with a letter questioning the accuracy of statements made by Board member Royce Loesch and his wife Jeannine Loesch to the South Dakota Barber's Association. Jeannine Loesch stated she and not Royce Loesch had voiced concerns to the Association. The Board unanimously stated that they do not share Jeannine's views and spoke highly of the services they have received from Professional Licensing and the Attorney General's Office.

Loesch brought to the attention of the Board that an applicant was issued a license by the current Board office and questioned if the applicant met criteria as an applicant several years back was required to complete additional apprentice hours. Strohman reviewed and advised that the current Board office was correct in issuing the license and that the Board cannot go back and correct an error made by a previous Board. Loesch also brought to the attention of the Board other questions in the field. Loesch was advised to tell licensees to call or write the Board office with questions, as Board members do not have access to the information, files and applicant history while in the field.

Trademark Update: Strohman advised the Board that the mark registration on the barber pole has been successfully completed. The emblem registration will need to be filed preferably by the South Dakota Barber's Association. Strohman reiterated his position to the Board that the trademark may not resolve the issue of exclusive use of the barber pole. Loesch moved and Harrington seconded to have the Board send correspondence to the Association offering them the opportunity to participate in the mark and emblem registrations, since the Board will not be pursuing any additional action. Motion carried unanimously.

Inspection Update: Board members advised that inspections were on schedule and going well.

Complaint Procedure: Strohman explained the complaint procedure to the Board members.

E&O Requirement/Amendment: Tellinghuisen advised the Board that in the past the State had waived the insurance requirements but is now requiring her to carry professional and commercial liability insurances. Harrington moved and Johnson seconded to pay \$500.00 towards required insurances. Motion carried unanimously.

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Discussion on shaving: Haffner advised the Board they needed to discuss shaving and possibly consider a ban because of the disease aspect of blood born pathogens. The Board discussed and agreed with Haffner. Loesch moved and Johnson seconded to send correspondence to all licensees advising the Board is considering legislation to ban shaving due to the dangers of blood born pathogens. Motion carried unanimously.

Discussion of shop licenses and licensed barbers: The Board discussed cosmetologists having a barbershop license without a licensed barber on duty. All barbershop licenses must have a licensed barber on duty to maintain a current shop license. Inspectors will check for violations and report to the Board office. All barbers working must hold a current license. Barbers are required to have their current license on display in their shop and inspectors will verify and report any violations to the Board office. Barbers working without licensure will be reported to the Board office by the inspector and appropriate legal action will be taken.

Schedule Next Meeting: The next meeting was not set at this time. It will be scheduled in the spring on the DDN unless there are applicants to test, and then it will be scheduled in Pierre.

Johnson moved and Harrington seconded to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:45 AM CST.

Respectfully submitted,

A handwritten signature in black ink, reading "Carol Tellinghuisen". The signature is written in a cursive, flowing style.

Carol Tellinghuisen
Executive Secretary